

'Intent' Clause in Law Makes Convictions Hard

By CHARLES E. CHAPEL, existing law are either not brought to trial, or are brought to trial and obtain acquittals. Such criminals of California which theoretically make it possible to convict people for the public sale, distribution of obscene, lascivious, pornographic, or just plain indecent objects. By "objects" I mean books, magazines, photographs, drawings, statues, etc.

Many California judges, district attorneys, and lawyers in private practice, have been telling me for years that people guilty of violating the

"mother love," that is, why sons and daughters would respect their mothers and treat them with kind consideration. Actually, when the book is opened, there are many obscene illustrations of incest and all the reading matter (so-called "literature") is about incest between a boy and his mother.

WHEN CUSTOMERS came into the store looking for fifty publications, the book dealer merely suggested that they might be interested in buying a book on mother love, and gestured toward the table with a book dealer.

There was a fast hearing before a magistrate, who set bail in an amount which was low enough to please the book dealer, the bail bondsman posted the bail bond, and the dealer returned to his store to sell more dirty publications.

THE BOOK dealer was brought to trial and was acquitted because he took the witness stand as a witness in his own behalf and swore under oath that he never looked inside the covers of the book on mother love, thought it was something people might give their mothers as a gift on Mothers' Day, and then added that he had some books for sale he did not have time to look inside any of them. The lawyer for the book dealer argued that the fact that the book dealer had not looked inside the dirty book was evidence that the dealer did not know it was an obscene publication, hence the dealer had no criminal intent and should be acquitted.

This is merely one example of hundreds of thousands of cases where purveyors of filth manage to escape punishment. The details of the

above case have been disguised enough to prevent the dealer from successfully bringing either a criminal or civil action against me, but the fundamentals of this particular case are truthfully set forth above. Actually, this particular case occurred before January, 1963.

My Assembly Bill No. 14 provided for a proceeding "in rem," which means that a judge and jury, after ample notice to the public, could determine whether or not any particular book or magazine was, in fact and in law, obscene and without any redeeming social or literary value. You can obtain a free copy of this bill by writing to Legislative Bill Room, State Capitol, Sacramento 14, Calif., and asking for Assembly Bill No. 14, by Chapel, General Session of 1963, relating to "in rem" proceedings regarding obscene material.

THE ASSEMBLY Committee on Judiciary, Criminal, killed the bill. The only witness against the bill were two female librarians of uncertain age. However, men who claimed to be paid employees of the American Civil Liberties Union told me in advance

that they were denouncing again, even though there were more than 65 Assemblymen actually present. Some sat mute and did not vote one way or the other, which actually ran out of the Assembly Chambers to avoid being present at the roll call and re-billed by reason of not receiving the required 41 votes to take it out of the Committee. Both Republicans and Democrats voted for the bill. Both me their solemn promise to either voted "NO," or, deliriously as I requested but when berately, knowingly, and with the day came for the roll call, a clear knowledge of the bill, less than the required 41 either refused to vote at all, Members voted with me, or left to avoid being recorded. Hence the bill was killed. Why?

RED RYDER



JEFF COBB

By PETE HOFFMAN



Navy Program Offers Nurses Top Training

Registered nurses active in their profession may be eligible for immediate appointment in the Navy Nurse Corps, according to Chief Vandorne E. Isaak, local Navy recruiter. Student nurses may apply for appointment as early as six months before graduation. Grades in the navy will depend upon education and nursing experience, said chief Isaak.

Duties as a Navy nurse may be in the field of general nursing, operating room management, anesthesiology, nuclear nursing, or teaching. Clinical areas such as medi-

cal, surgical, cardiac, and nursing service administration also are available. Chief Isaak also said student nurses now in the junior or senior years in an accredited school of nursing may be eligible to enroll as a Navy Nurse candidate and complete their education at Navy expense. Six months before graduation, such students are commissioned as Ensigns.

Interested women may write to Lt. Barbara Thomas (NC), USN, Navy Nurse Officer Procurement, 759 S. Figueroa St., Los Angeles 17, or call Chief Isaak at FA 0-3141.

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